PILED
2020 Sep-11 PM 02:57
U.S. DISTRICT COURT
N.D. OF ALABAMA

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

HAMAN, INC. d/b/a KNIGHTS INN,)
Plaintiff,)
) Civil Action File No.) 2:18-cv-1534-KOB
V.)
CHUBB CUSTOM INSURANCE COMPANY, DEFENDANTS A-M, and DEFENDANTS N-Z,)))
Defendants.)

<u>DEFENDANT CHUBB CUSTOM INSURANCE COMPANY'S RULE</u> <u>26(a)(2) DISCLOSURE OF EXPERT WITNESS TESTIMONY</u>

Defendant Chubb Custom Insurance Company ("Chubb"), pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure and this Court's Scheduling Order [Doc. 18], discloses that the following individuals may be utilized by Chubb as expert witnesses to present evidence at trial:

1. Wade Bushman Executive Partner YOUNG & Associates 2870 Peachtree Road, #430 Atlanta, Georgia 30305

Mr. Bushman is expected to testify as an expert regarding his inspection and evaluation of the claimed damages to the property of plaintiff Haman, Inc. d/b/a

Knights Inn ("Haman") as a result of the March 22, 2014 fire. Mr. Bushman also is expected to testify regarding the estimated cost to repair the property. As required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of Mr. Bushman's estimate, his current curriculum vitae, and a statement of the compensation to be paid to Mr. Bushman for his work in this case are attached to this disclosure as Exhibit "1."

Ned Fortenberry, P.E.
 Engineering Design & Testing Corp.
 Post Office Box 610406
 Birmingham, Alabama 35261

Mr. Fortenberry is expected to testify as an expert regarding his inspection and evaluation of the claimed damages to plaintiff's property as a result of the March 22, 2014 fire. Mr. Fortenberry also is expected to testify regarding the extent of the claimed damages to plaintiff's property. As required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of Mr. Fortenberry's report, his current curriculum vitae, a list of cases in which he has testified at trial or by deposition during the previous four (4) years, and a statement of the compensation to be paid to Mr. Fortenberry for his work in this case are attached to this disclosure as Exhibit "2."

3. Tom Sumner

Certified Industrial Hygienist J.S. Held (formerly known as U.S. Health and Environmental Liability Management, LLC) 365 Canal Street, Suite 2760 New Orleans, Louisiana 70130

Mr. Sumner is expected to testify as an expert regarding his inspection and evaluation of the claimed smoke damages to plaintiff's property as a result of the March 22, 2014 fire. Mr. Sumner also is expected to testify regarding the impact of smoke on plaintiff's property. As required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of his report, his current curriculum vitae, a list of cases in which he has testified at trial or by deposition during the previous four (4) years, and a statement of the compensation to be paid to Mr. Sumner for his work in this case are attached to this disclosure as Exhibit "3."

4. <u>Stephen Trauth</u>

Industrial Hygienist

(formerly employed by U.S. Health and Environmental Liability

Management, LLC)

Sedgwick Inc.

4051 Veterans Memorial Blvd, Suite 400

Metairie, Louisiana 70002

Mr. Trauth is expected to testify as an expert regarding his inspection and evaluation of the claimed smoke damages to plaintiff's property as a result of the March 22, 2014 fire. Mr. Trauth also is expected to testify regarding the impact of smoke on plaintiff's property. As required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of his report, his current curriculum vitae, and a statement

of the compensation to be paid to Mr. Trauth for his work in this case are attached to this disclosure as Exhibit "4."

5. <u>Steve Lehman</u>
Regional Consultant
YOUNG & Associates
2870 Peachtree Road, #430
Atlanta, Georgia 30305

Mr. Lehman is expected to testify as an expert regarding his inspection and evaluation of the claimed wind damages to plaintiff's property that purportedly occurred on or about April 28, 2014. Mr. Lehman also is expected to testify regarding the estimated cost to repair the property. As required by Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of Mr. Lehman's inspection reports and estimate, his current curriculum vitae, and a statement of the compensation to be paid to Mr. Lehman for his work in this case are attached to this disclosure as Exhibit "5."

6. Kurt D. Mulder, P.E.
Engineering Design & Testing Corp.
Post Office Box 610406
Birmingham, Alabama 35261

Mr. Mulder is expected to testify as an expert regarding his inspection and evaluation of the claimed wind damages to plaintiff's property that purportedly occurred on or about April 28, 2014. Mr. Mulder also is expected to testify regarding the cause of the claimed damages to plaintiff's property. As required by Rule

26(a)(2)(B) of the Federal Rules of Civil Procedure, copies of Mr. Mulder's report, his current curriculum vitae a list of cases in which he has testified at trial or by deposition during the previous four (4) years, and a statement of the compensation to be paid to Mr. Mulder for his work in this case are attached to this disclosure as Exhibit "6."

Respectfully submitted this 28th day of June, 2019.

<u>/s/ Michelle A. Sherman</u> WAYNE D. TAYLOR

Georgia Bar No. 701275

Admitted pro hac vice

MICHELLE A. SHERMAN

Georgia Bar No. 835980

Admitted pro hac vice

MOZLEY, FINLAYSON &

LOGGINS LLP

1050 Crown Pointe Parkway, Suite

1500

Atlanta, Georgia 30338

Tel: (404) 256-0700

Fax: (404) 250-9355 wtaylor@mfllaw.com

msherman@mfllaw.com

-and-

MARK D. HESS

Alabama Bar No. ASB-0008-E66M

HAND ARENDALL HARRISON

SALE LLC

1801 5th Avenue North, Suite 400

Birmingham, Alabama 35203

Tel: (205) 324-4400

Fax: (205) 322-1163

MHess@handarendall.com

Attorneys for Defendant Chubb Custom Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of June, 2019 a copy of **DEFENDANT CHUBB CUSTOM INSURANCE COMPANY'S RULE 26(a)(2) DISCLOSURE OF EXPERT WITNESS TESTIMONY** was electronically mailed to the following: <u>Gary V. Conchin, Kenneth B. Cole, Jr., Franklin Taylor</u> Rouse, and Gregory A. Brockwell, and Jason R. Smith.

/s/ Michelle A. Sherman
Michelle A. Sherman
Georgia Bar No. 835980
Admitted pro hac vice